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LETTER DATED 9 APRIL 1993 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to clarify our stand once again that the Security Council of the United Nations has no scientific, technical or legal ground to consider the report of the Director-General of the International Atomic Energy Agency (IAEA) and request the Security Council to have due attention over the serious abuse of the Safeguards Agreement by IAEA.

In this connection, I wish to draw the attention of the Security Council members to the memorandum of the Ministry of Foreign Affairs dated 15 March 1993 (S/25422, annex) and the enclosed statement of 8 April 1993 of the Minister of Atomic Energy of the Democratic People's Republic of Korea.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) PAK Gil Yon
Ambassador
Permanent Representative

Annex

Statement by the Minister of Atomic Energy of the Democratic People's Republic of Korea

Recalling that the Democratic People's Republic of Korea, after the effectuation of the Safeguards Agreement on 10 April last year, submitted to the IAEA an initial report on the nuclear materials earlier than the time-limit according to article 62 of the Agreement and underwent six rounds of ad hoc inspection by the agency by early February for the verification of the correctness and completeness of the initial report according to article 71 of the Agreement, the Minister says:

> "In this period, we provided the inspection group with sufficient conditions to have the correctness and completeness of the initial report verified by displaying a high degree of spirit of cooperation."

Noting that, nevertheless, an unjustifiable "resolution" to take our question to the United Nations on the charge of "non-compliance with the SA" was adopted at a meeting of the Board of Governors of the IAEA, the Minister declares:

There is a shady background in this, on which a revealing light must be shed. It was from early November last year that some officials of the secretariat of the IAEA abruptly began to bring forward the fictitious problem of "inconsistency".

This "inconsistency" was, in essence, one caused by the difference in the calculating methods and interpretation and assessment resulting from a mistake of the agency. It was by no means a difference between our declaration and the results of inspection by the agency.

In the negotiations held during the sixth inspection held from 27 January to 6 February, the inspection group admitted the cause of this difference, with the result that the problem of "inconsistency" was solved and an agreement was reached to "re-examine the results of the inspection by the agency and continue the discussion during the period of next inspection". However, before the inspection group re-examined the results of inspection, the Director-General of the agency officially demanded a "special inspection" of us on 9 February, thus blocking the progress of the ad hoc inspection which had been going on smoothly and the road of negotiation for the solution of "inconsistency".

Some officials of the IAEA secretariat at the Board of Governors meeting linked the "inconsistency" alleged by them to "two sites" in a far-fetched manner and went so far as to show with the help of slides faked-up "intelligence satellite photos" provided by the United States, a belligerent party in a war with the DPRK, something unprecedented, in an effort to justify their claim.

As far as the "satellite photos" are concerned, they are quite inconsistent with the facts, and the explanation about them is also preposterous.

Although it had been directly confirmed by the inspection group through on-site inspection that there was no "connection" between military sites and nuclear facilities in question, some officials of the IAEA secretariat tried to convince the governors, alleging obstinately that the trenches around the military sites furnished clear "evidence" of their connection with nuclear facilities.

The United States CIA-provided satellite photos of our experimental nuclear power station and so-called "nuclear detonator explosion testing ground" are also sheer forgeries.

The inspection group of the agency had confirmed on the spot that the power station had one cooling tower, not two, that there were transmission facilities showing the peaceful nature of our nuclear activities and that the riverside pools are not traces of nuclear detonator explosions.

Describing our two ordinary military sites as "nuclear-related facilities" on the basis of the faked-up "intelligence satellite photos", however, some officials of the IAEA secretariat spread rumours that we were refusing an inspection of nuclear-related facilities.

When the Director-General of the IAEA in mid-September last year requested us all of a sudden to allow access to two sites unrelated to nuclear activities in the form of visits by some members of the IAEA's inspection group, who were on the spot for the third-round inspection, we showed them in good faith, taking into consideration that it was the first request of the Director-General. We did not even turn down their unreasonable request for another access.

Although the inspectors of the agency used a radiation dose meter and even a route map to find the direction of the sites, they could not but admit that the sites were unrelated to nuclear activities.

We are compelled to pay heed to the fact that such visits by the agency followed a "joint hearing" at both Houses of the United States held in the presence of the Director-General of the IAEA on 22 July last year, at which there were calls for a "challenge inspection" and a "special inspection" of the DPRK, in particular to the recent statement of some officials of the IAEA secretariat that "if nuclear materials are not discovered at the two military sites, they must be found elsewhere".

We came to know more clearly in this course that some officials of the IAEA secretariat invented the "inconsistency" under the manipulation of the United States trying to stifle our Republic and made the "surprise visits" on the basis of the faked-up "intelligence satellite photos" and that the Director-General's request for a "special inspection" and the unreasonable "resolution" of the Board of Governors meeting relative to it were based on a prearranged script.

The Director-General's proposal for a "special inspection" of the DPRK and the 25 February, 18 March and 1 April "resolutions" adopted at the Board of Governors meetings in this regard were based on the fictitious "inconsistency" and faked-up "intelligence information". It was a crude breach of the Safeguards Agreement.

We rejected such an illegal robber-like demand and that is the first reason why it charged us with "non-compliance with the Safeguards Agreement".

Another reason is that we refused to receive the ad hoc inspection group of the agency for three months till the withdrawal from the NPT takes effect after the declaration of it.

This is a brigandish logic reversing black and white. We had consistently called for solving all the problems in the implementation of the Agreement through ad hoc inspection and negotiation in the past. Some officials of the IAEA secretariat, however, had denied the possibility of solving the problems in the implementation of the Agreement through ad hoc inspection and negotiation and they themselves blocked the way of ad hoc inspection and negotiation, while trying to force an unjustifiable "special inspection" on the DPRK.

Under such abnormal circumstances, we, proceeding from the stand of discharging our obligations under the Safeguards Agreement for three months, proposed on 30 March in explicit terms negotiations with the IAEA in this regard.

However, some officials of the IAEA secretariat ignored our proposal and answered it with the adoption of an unreasonable "resolution" on transferring our problem to the United Nations.

This was contrary to article 3 of the Agreement which stipulates cooperation in its implementation and to article III (d) of the statute of IAEA which calls for respecting the sovereignty of the given country. This makes it plain that the United States and some officials of the IAEA following it are the very ones who made it impossible for the DPRK to discharge its obligations under the Safeguards Agreement for three months.

So, the IAEA secretariat has no legal ground to conclude "it is not able to verify that there has been no diversion of nuclear material to nuclear weapons or other nuclear explosive devices". Therefore, the adoption of a "resolution" on transferring the problem to the United Nations under the pretext the DPRK's "non-compliance" is a grave violation of the Agreement.

All these facts clearly prove that there are neither scientific and technical ground nor legal reason to bring our "nuclear problem" to the United Nations, charging the DPRK with "non-compliance".

It is not the DPRK but some officials of the IAEA secretariat engineered by the United States that did not comply with the Agreement.

Some officials of the IAEA secretariat can never evade the responsibility for wantonly violating the statute of the IAEA and the Safeguards Agreement and joining the United States in its political and military plot to stifle the DPRK.

The United Nations, instead of discussing our "nuclear problem", must call in question the conspiracy of the United States and some officials of the IAEA secretariat in abusing the statute of the IAEA and the Safeguards Agreement.

Nobody has the right to wrongly interpret or violate relevant articles of the statute of the IAEA and the Agreement.

Some officials of the IAEA secretariat must strictly abide by the Safeguards Agreement and the statute of the IAEA, not reducing themselves to servants of the United States in its anti-DPRK scheme to have all its ordinary military bases opened one by one by demanding a "special inspection".

Consistent is our stand to discharge our obligations under the Safeguards Agreement and solve problems arising in this regard through negotiations.

I, availing myself of this opportunity, express the hope that the Governments of all countries, international organizations and the peace-loving people around the world who value peace and justice will extend support and solidarity to the Korean people in the just cause of thwarting and frustrating the plots of the United States and the forces following it to stifle our socialist system, removing the nuclear threat from the Korean peninsula and safeguarding peace and security.

Pyongyang, 8 April 1993